

LOUISVILLE METRO COUNCIL COMMITTEE MINUTES

Labor/Economic Development

Thursday, February 5, 2009

3:05 P.M.

Third Floor, City Hall

Present:
Chair: CM Butler
Vice Chair: CM Peden
Members: CM Engel, CM Owen and CM King

Also Present: CM Heiner and CM Johnson

Special Items for Discussion: None

Chairwoman Butler announced the members and non-members of the committee that were present. A quorum was established.

CM Heiner spoke stating that the Administration, Developer and County Attorney hopefully would be present at the next meeting to discuss the Museum Plaza Project regarding permits, time line, project plans, annual financial statement, a breakdown of the \$45,000,000 that the developer has invested, reopening of 7th Street, liens, liability for Metro, PARC, and Urban Renewal, protections for the future, when the liability is attached to Metro, lien removal, protection by Museum Plaza to the City saying Museum Plaza is responsible for liens, and completion guarantee.

AGENDA

[R-194-11-08 A RESOLUTION DETERMINING TWO \(2\) PARCELS OF REAL PROPERTY LOCATED AT 1535 WEST OAK STREET \(37G-147\) AND 1537 HALE AVENUE \(37G-47\), OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT \("METRO GOVERNMENT"\) AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.](#)

Status: In-Committee
Committee: Labor & Economic Development
Primary Sponsor: George Unseld

Motion to approve made Robin Engel by and seconded by Jim King.

Discussion: Judy Hettich, Public Works and Assets, Real Estate Division, spoke stating the reason this need to be Amended by Substitution is because this Resolution was supposed to go through Public Works and Assets instead of the Housing Department. Bill O'Brien, Assistant County Attorney, was also present to speak and answer questions. The following was discussed:

- 1535 West Oak Street and 1537 Hale
- Vacant Parcels
- Currently maintained by Public Works
- 3,000 square feet each
- Centennial Olivet Baptist Church is going to expansion plans to construct an outreach center and new worship facility
- Will be able to remove these parcels from the Public Works maintenance and mowing list
- Land Value
- PVA does not assess property in the name of the Metro Government, because they are exempt, unless specifically requested
- There are requirements for Metro to get fair value for the property but that does not necessarily mean the price, it is for the rehabilitation of the property

Motion to Amend by Substitution was made by Tom Owen and seconded by Robin Engel. The amendment passed.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler
Against: (None)
Abstain: (None)
Absent: (None)

The Resolution Amended by Substitution was sent to **Old Business**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler
Against: (None)
Abstain: (None)
Absent: (None)

[R-179-10-08 A RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO ADDRESS NATIONWIDE FINANCIAL PROBLEMS WITH HOME MORTGAGES.](#)

Status: In Committee - Held
Committee: Labor & Economic Development
Primary Sponsor: Dan Johnson

Discussion: This item was **Held in Committee**.

[O-225-12-08 AN ORDINANCE RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT \(JULY 1, 2008 JUNE 30, 2013\) RELATING TO WAGES, BENEFITS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE METRO TRAFFIC GUARDS ASSOCIATION CONCERNING CERTAIN EMPLOYEES OF THE LOUISVILLE METRO POLICE DEPARTMENT.](#)

Status: In-Committee
Committee: Labor & Economic Development
Primary Sponsor: David Tandy

Motion to approve made by James Peden and seconded by Jim King.

Discussion: Jim McGovern, Mayors Office, spoke stating this agreement was fairly negotiated between the labor union and the Administration. This bargaining agreement cannot be changed. It is here for approval and ratification.

This Ordinance was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler
Against: (None)
Abstain: (None)
Absent: (None)

[R-1-01-09 A RESOLUTION AUTHORIZING THE OFFICE OF THE JEFFERSON COUNTY ATTORNEY TO BRING A CONDEMNATION ACTION AGAINST THE OWNER OF CERTAIN PROPERTY IN JEFFERSON COUNTY IN CONNECTION WITH THE LOUISVILLE RIVERWALK.](#)

Status: In-Committee
Committee: Labor & Economic Development
Primary Sponsor: Cheri Bryant Hamilton

Motion to approve made by Robin Engel and seconded by Jim King.

Discussion: Judy Hettich, Public Works and Assets, Real Estate Division, and Bill Warner, Assistant County Attorney, spoke. The following was discussed:

- Private property owner at 2910 Northwestern Parkway concerned about nuisance activity
- Riverwalk was constructed on western edge of private property
- Easement to correct over site, 1,725 Square feet valued at \$1,900
- Reviewed negotiations with property owner
- Would need new map and survey to buy outright instead of easement
- Legally cannot offer more than the appraised property

Chairman Butler asked that the County Attorney get an analysis for the cost for condemnation vs. giving up the plat that they are asking for

Motion to Postpone until the next Labor Committee Meeting was made by Jim King and seconded by James Peden.

Without objection this item was postponed until the next Labor Committee Meeting.

[R-9-01-09 A RESOLUTION DETERMINING EIGHT PARCELS OF REAL PROPERTY LOCATED AT 1523, 1521, 1515, 1511, 1511-R GARLAND AVENUE, 906 S 15th STREET, 1523 W. KENTUCKY, AND 1528-R W. BRECKINRIDGE STREET OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT \("LOUISVILLE"\) AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING THEIR CONVEYANCE TO ST. STEPHEN BAPTIST CHURCH, INC.](#)

Status: In-Committee

Committee: Labor & Economic Development

Primary Sponsor: George Unseld

Motion to approve made by Jim King and seconded by James Peden.

Discussion: Judy Hettich, Public Works and Assets, Real Estate Division, spoke. The following was discussed:

- Church expansion
- 8 parcels that are vacant and are different sizes
- Maintained by Public Works
- Assessed at \$17, 910 total
- Will reduce Metro maintenance expenses

This Resolution was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler

Against: (None)

Abstain: (None)

Absent: (None)

[O-6-01-09 AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON NEW DEVELOPMENTS WHICH INCLUDE THE RETAIL SALES OF GASOLINE.](#)

Status: In-Committee

Committee: Labor & Economic Development

Primary Sponsor: Dan Johnson

Discussion: This item was **Held in Committee**.

[R-15-01-09 A RESOLUTION AUTHORIZING THE PURCHASE OF A CERTAIN TRACT OF REAL PROPERTY LOCATED IN JEFFERSON COUNTY KENTUCKY FOR THE LEVEE TRAIL.](#)

Status: In-Committee

Committee: Labor & Economic Development

Primary Sponsor: Rick Blackwell

Motion to approve made by Robin Engel and seconded by James Peden.

Discussion: Bruce Traughber, Director of Economic Development, spoke. The following was discussed:

- A Parcel of land in Southwestern Jefferson County that needs to be acquired due to an oversight from relying on the Logic map instead of a survey which caused the Levee Trail to be built on a portion of Private Property
- 13 acres of land
 - \$84,300 to purchase
 - Appraised Value along with risk of loss if taken to Court
 - Appraised Value and risk of loss is about 50/50
 - Money will come from an old Capital Project that has unexpended funds for trail work and the three Departments that really benefit which are Works, Parks and Economic Development

This Resolution was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler

Against: (None)

Abstain: (None)

Absent: (None)

[R-19-01-09 A RESOLUTION DETERMINING THREE \(3\) PARCELS OF REAL PROPERTY LOCATED AT 5330 CEDRUS CIRCLE \(2030-0052-0000\), 5207 KILMER BOULEVARD \(0856-0133-0171\), AND 4400 SHASTA TRAIL \(0856-0097-0141\), OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT \("METRO GOVERNMENT"\) AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING THEIR TRANSFER.](#)

Status: In-Committee

Committee: Labor & Economic Development

Primary Sponsor: Barbara Shanklin

Motion to approve made by Jim King and seconded by Robin Engel.

Discussion: Anna Shobe-Wallace, Department of Housing and Family Services, spoke. The following was discussed:

- Newburg Vitalization Project
- Homes have been completely rehabbed
- Three properties
- Will be sold to income qualified persons
- Down Payment Assistance
- Revenue will go back into the department for other projects
- Requirements
 - Must go through Home Ownership Counseling
 - The note and mortgage both state the buyer must live in home for 10 years
 - The first through fifth year, there is no payment expected
 - The sixth through tenth year, the mortgage is forgiven 20% per year
 - If the home is sold before the ten years, Metro does have a interest in it and the Down Payment Assistance must be paid back out of the sale of the home

This Resolution was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler

Against: (None)

Abstain: (None)

Absent: (None)

R-17-01-09 A RESOLUTION DETERMINING ONE (1) VACANT PARCEL OF REAL PROPERTY LOCATED AT 720 OLDHAM STREET OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Status: In-Committee
Committee: Labor & Economic Development
Primary Sponsor: George Unseld

Motion to approve made by Robin Engel and seconded by Jim King.

Discussion: Judy Hettich, Public Works and Assets, Real Estate Division, spoke. The following was discussed:

- Found in Metro Government's vacant property inventory
- 30 foot by 180 foot sliver right in the middle of a fully consolidated Block at 8th and Oldham Street
- Parcel is needed to complete a housing project

CM Owen requested that a map be submitted with these items.

This Resolution was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler
Against: (None)
Abstain: (None)
Absent: (None)

O-10-01-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, AUTHORIZING AND DIRECTING THE PARKING AUTHORITY OF RIVER CITY INC. ("PARC") TO ISSUE ITS FIRST MORTGAGE REVENUE BONDS, OR BOND ANTICIPATION NOTES, SERIES 2009A TO FINANCE THE ACQUISITION OF THE LOUISVILLE ARENA PARKING GARAGE AND ADDITIONAL CAPITAL EXPENDITURES FOR PUBLIC PARKING AND GARAGE FACILITIES LOCATED IN LOUISVILLE METRO AND TO ISSUE ITS FIRST MORTGAGE REVENUE REFUNDING BONDS, SERIES 2009B TO CURRENTLY REFUND THE OUTSTANDING PRINCIPAL AMOUNT OF THE CITY OF LOUISVILLE PARKING AUTHORITY OF RIVER CITY, INC., FIRST MORTGAGE REVENUE REFUNDING BONDS, SERIES 1997 (COLLECTIVELY, THE SERIES 2009A BONDS AND SERIES 2009B BONDS, THE "2009 BONDS"), AND RELATED EXPENDITURES; AUTHORIZING THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL INDENTURE, A SUPPLEMENTAL LEASE AND A SUPPLEMENTAL SECURITY AGREEMENT NECESSARY TO EFFECT THE ISSUANCE OF SUCH BONDS; AND TAKING OTHER RELATED ACTION.

Status: In-Committee
Committee: Labor & Economic Development
Primary Sponsor: Jim King

Motion to approve made by Jim King and seconded by Robin Engel.

Discussion: Bruce Traughber, Director of Economic Development, Lauren Low, PFM, Financial Advisor for the Metro and Financial Advisor for PARC on this project, and Bill Skees, Bond Council, were present to speak and answer questions. The following was discussed:

- City will build the parking structure for the Arena, operating and managing it
- Making payments as the garage is being constructed
- At end of Construction, the City will take possession of, manage and operate the parking structure
- Bonds are for the Completion of the Construction
- Plan to issue the Bonds February 24, 2009, and close on March 4, 2009
- Refunding bonds issued also
- General Obligation Bonds for PARC not Metro
- Indentures and supplements
- Revenues
- Comparison Rates

- 762 Spaces in the garage
- \$39,000,000 construction cost
- Construction is on schedule
- Financial responsibility
- Closed System, in which all garages participate, will cover any shortfall in the first few years
- Underneath the Plaza and Lobby Arena and is 3 stories down
- Yearly revenue and cash flow
- Lease payments
- Debt Service Reserve Fund
- Gross receipts

This Ordinance was sent to the **Consent Calendar**.

VOTING RESULTS: For: 5; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Robin Engel, Tom Owen, James Peden, Marianne Butler

Against: (None)

Abstain: (None)

Absent: (None)

[R-18-01-09 A RESOLUTION REQUESTING THE JEFFERSON COUNTY ATTORNEY'S OFFICE TO INFORM THE LOUISVILLE METRO COUNCIL \("COUNCIL"\) ON THE LEGAL EFFECTS THE LIEN FILINGS REGARDING THE MUSEUM PLAZA PROJECT \("PROJECT"\) HAVE ON LOUISVILLE METRO GOVERNMENT \("METRO"\) AND ITS PROPERTY AND URGING THE MAYOR TO ASK THE DEVELOPER TO PROVIDE A STATUS REPORT ON THE DEVELOPER'S OBLIGATIONS WITH RESPECT TO THE PROJECT AS SET FORTH IN THE DEVELOPMENT AGREEMENT \("AGREEMENT"\) AND TO REQUEST THE DEVELOPER REMOVE THE LIEN FILINGS ON THE PROPERTY OWNED BY METRO GOVERNMENT AND AFFILIATED ORGANIZATIONS.](#)

Status: In-Committee

Committee: Labor & Economic Development

Primary Sponsor: Hal Heiner

Discussion: This item was **Held in Committee**.

Motion to Adjourn was made by Robin Engel. Without objection the meeting Adjourned at 4:12 P.M.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on February 12, 2009.**

KQG